

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

IN RE: REALPAGE, INC., RENTAL) Case No. 3:23-md-03071
SOFTWARE ANTITRUST) MDL No. 3071
LITIGATION (NO. II))
) THIS DOCUMENT RELATES TO:
) ALL CASES

ORDER

Before the Court is Defendant UDR, Inc.’s Unopposed Motion for Entry of UDR, Inc.’s TAR Protocol (Doc. No. 1014). In its attached proposed technology-assisted review (“TAR”) protocol, UDR explains in detail how it “intends to apply Relativity’s Active Learning (RAL) in connection with its review of custodial documents” in this case. (Doc. No. 1014-1 at 2). For the uninitiated, RAL is “a type of TAR software that uses learning algorithms to prioritize documents for its attorneys to review manually.” See Livingston v. City of Chicago, 2020 WL 5253848, at *2 (N.D. Ill. Sept. 3, 2020).

Plaintiffs do not oppose UDR’s proposed protocol. The Court further notes that “[r]esponding parties are best situated to evaluate the procedures, methodologies, and technologies appropriate for preserving and producing their own electronically stored information.” The Sedona Principles, Third Edition, 19 SEDONA CONF. J. 1 (2018), Principle 6. For these reasons, UDR may use RAL to conduct its document review, and its Unopposed Motion for Entry of its TAR Protocol (Doc. No. 1014) is **GRANTED**. Notwithstanding this Order, the Court emphasizes that UDR and its attorneys are responsible for using RAL in a way that ensures full compliance with the Federal Rules of Civil Procedure, this Court’s Local Rules, and the Rules of Professional Responsibility.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
UNITED STATES DISTRICT JUDGE